IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 12TH JANUARY 2007 / 22ND PAUSHA 1928

WP(C).No. 1440 of 2007(U)

PETITIONER:

M.BHUVANENDRAN NAIR,
SENIOR FOREMAN, KERALA UNIVERSITY PRESS,
THIRUVANANTHAPURAM.

BY ADV. SRI.N.NANDAKUMARA MENON
SRI.P.K.MANOJKUMAR

RESPONDENTS:

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1. THE KERALA UNIVERSITY,
REPRESENTED BY ITS REGISTRAR,
THIRUVANANTHAPURAM.

2. THE VICE CHANCELLOR,
UNIVERSITY OF KERALA, THIRUVANANTHAPURAM.

BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, KERALA UTY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No. 1440 OF 2007

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Dated this the 12th day of January, 2007

JUDGMENT

Case of the petitioner is as follows:

Petitioner is working as a Senior Foreman in the Kerala University Press and he is fully qualified and eligible to be promoted to the post of Assistant Superintendent in accordance with the provisions of the Kerala University First Ordinance, 1978. A vacancy arose in the post of Assistant Superintendent with effect from 1.7.2006. Complaint is that though the petitioner is fully qualified and eligible, no positive steps are taken by the University to promote the petitioner due to extraneous and irrelevant considerations. Petitioner has a case that Ext.P3 judgment would show that one Sri.Mahesh Kumas.S approached this court, therein the petitioner was shown as third respondent and this court disposed of the matter directing the University to consider the representation given by the petitioner before any decision is taken to make promotion and appointment to the post of Assistant Superintendent and it was also directed that the petitioner and the third respondent had to be afforded an opportunity of being

heard. It is submitted by the learned counsel for the petitioner that hearing pursuant to Ext.P3 judgment was conducted and still no decision is taken.

In view of the direction contained in Ext.P3 the only further direction that need be given is that if a decision is not already taken in the matter, the respondent will take note of Exts.P5 and P6 also when it takes a decision pursuant to Ext.P3. Learned Standing Counsel prays for two months time. But I feel that a decision as aforesaid should be taken, if not already taken, within a period of six weeks from the date of receipt of a copy of this judgment. Accordingly a decision pursuant to Ext.P3 shall be taken within six weeks from the date of receipt of a copy of this judgment. Needless to say, appointment can be made only in accordance with law.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.